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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94683

Hiroshi KUBO, et al.

Appln. No.: 10/580,403

Group Art Unit: Unknown

Confirmation No.: 2089

Examiner: Unknown

Filed: May 24, 2006

For: COMPOSITION HAVING LIVER FUNCTION PROTECTING EFFECT

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed no later than three months from the application's filing date, and therefore no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Documents 1 - 8 noted below were previously cited in the Information Disclosure Statement filed May 24, 2006, as documents that were cited in International Search Report; copies and English language Abstracts thereof have been obtained and are provided herewith.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. The indication in the International Search Report of the degree of relevance found by the foreign patent office and the submission of an English language abstract for JP 2003-026625 each constitutes a concise statement of relevance of JP 2003-026625. Furthermore, EP 1386095 corresponds to JP 2003-026625.

2. The indication in the International Search Report of the degree of relevance found by the foreign patent office, the submission of an English language abstract, and a computer translation for JP 2003-119127 each constitutes a concise statement of relevance of JP 2003-119127.

3. The indication in the International Search Report of the degree of relevance found by the foreign patent office, and the submission of an English language abstract of TATSUYA AMIMOTO, "*ACETAMINOPHEN NI YORU MOUSE KANSHOGAI KIKO TO SHIYOSEI KOSAKAZAI NI YORU HOGO KIKO*", HIROSHIMA DAIGAKU IGAKU ZASSHI, 1993, VOL. 41, NO. 6, PAGES 417 TO 427, PAGE 421 (AMIMOTO) each constitutes a concise statement of relevance of AMIMOTO.

4. The indication in the International Search Report of the degree of relevance found by the foreign patent office, the submission of an English language abstract, and a computer translation for JP 2003-104945 each constitutes a concise statement of relevance of JP 2003-104945.

5. The disclosure on page 3 of the present specification, the indication in the International Search Report of the degree of relevance found by the foreign patent office, and the present submission of an English language abstract for JP Hei-10-109933 each constitutes a concise statement of relevance of JP Hei-10-109933. Furthermore, U.S. Patent 6,184,255 claims priority of JP Hei-10-109933.

6. The indication in the International Search Report of the degree of relevance found by the foreign patent office, the submission of an English language abstract, and a computer translation for JP Hei-09-187229 each constitutes a concise statement of relevance of JP Hei-09-187229.

7. The disclosure on page 3 of the present specification, the indication in the International Search Report of the degree of relevance found by the foreign patent office, and the present submission of an English language abstract for JP 2003-306429 each constitutes a concise statement of relevance of JP 2003-306429.

8. The indication in the International Search Report of the degree of relevance found by the foreign patent office, and the submission of an English language abstract of H. MARUYAMA et al, "ENDOTOXIN SHOCK-JI NO KANSAIBO SHOGAI NI TAISURU COENZYME Q10 NO YUYOSEI NI TSUITE TOKUNI ENDOTOXIN KASSEIKA TAKAKU


HAKKEKKYU O CHUSHIN NI", Nihon Ika Daigaku Zasshi, 1995 Nen, Vol. 62, No. 3, pages 271 - 282, Figs. 2, 3 (MARUYAMA) each constitutes a concise statement of relevance of MARUYAMA.

9. The disclosure on page 2 of the present specification and the present submission of an English language abstract for JP Hei-11-199477 each constitutes a concise statement of relevance of JP Hei-11-199477.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

Date: August 15, 2006



Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/580,403
Confirmation Number	2089
Filing Date	May 24, 2006
First Named Inventor	Hiroshi KUBO
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	Q94683

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
/ZV/		US 6,184,255		02-06-2001	Mae et al
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
/ZV/		JP	2003-26625	A	01-29-2003	KANEKA CORP.	ISR, Abstract and corresponds to EP 1386095
/ZV/		EP	1386095				
/ZV/		JP	2003-119127	A	04-23-2003	KANEKA CORP.	ISR, Abstract and computer translation
/ZV/		JP	2003-104945	A	04-09-2003	JIRO TAKADA, KAZUHIRO IMAI	ISR, Abstract and computer translation

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
/ZV/		VALLERIAN E.K., ELENA A. ET AL., "ANTIOXIDANT ACTION OF UBIQUINOL HOMOLOGUES WITH DIFFERENT ISOPRENOID CHAIN LENGTH IN BIOMEMBRANES", FREE RADICAL BIOLOGY & MEDICINE, 1990, VOL. 9, PAGES 117 TO 126, PAGE 119, FIG. 1C; PAGE 121, FIG. 4	
/ZV/		TAKAHASHI T., SUGIMOTO N., TAKAHATA K. ET AL., "CELLULAR ANTIOXIDANT DEFENSE BY A UBIQUINOL-REGENERATING SYSTEM COUPLED WITH CYSTOLIC NADPH-DEPENDENT UBIQUINONE REDUCTASE: PROTECTIVE EFFECT AGAINST CARBON TETRACHLORIDE-INDUCED HEPATOTOXICITY IN THE RAT", BIOL. PHARM. BULL., 1996, VOL. 19, NO. 8, PAGES 1005 TO 1012, PAGE 1010, LOWER LEFT COLUMN	
/ZV/		TATSUYA AMIMOTO, "ACETAMINOPHEN NI YORU MOUSE KANSHOGAI KIKO TO SHIYOSHI KOSANKAZAI NI YORU HOGO KIKO", HIROSHIMA DAIGAKU IGAKU ZASSHI, 1993 NEN, VOL. 41, NO. 6, PAGES 417 TO 427, PAGE 421, LEFT COLUMN, LINE 4 TO PAGE 422, RIGHT COLUMN, LINE 6; PAGE 422, TABLES 1, 2	ISR and Abstract

Examiner Signature /Zohreh Vakili/ (09/18/2008)

Date Considered /Zohreh Vakili/ (09/18/2008)

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u> <i>(use as many sheets as necessary)</i>			<i>Complete if known</i>	
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			First Named Inventor	Hiroshi KUBO
			Art Unit	Unknown
Examiner Name	Unknown			
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Sheet	2	of	2	

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Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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		US			
		US			
		US			

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
/ZV/		JP	10-109933	A	04-28-1998	KANEKA CORP.	Spec., ISR, Abstract, and USP '255 claims priority of JP 109933
/ZV/		JP	9-187229	A	07-22-1997	IDEMITSU MATERIALS CO., LTD.	ISR, Abstract and computer translation
/ZV/		JP	2003-306429	A	10-28-2003	NISSHIN FARUMA KABUSHIKI KAISHA	Spec. and Abstract
/ZV/		WO	2000/057871	A2	10-05-2000	PURDUE RESEARCH FOUNDATION	
/ZV/		JP	11-199477		07-27-1999	PHARMA NORD UK LTD	Spec and Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
/ZV/		T. MATSURA, K. YAMADA, T. KAWASAKI, "PROTECTIVE EFFECTS OF COENZYME Q10 AND A-TOCOPHEROL AGAINST FREE RADICAL-MEDIATED LIVER CELL INJURY, REDOX REPORT, 1995, VOL. 1, NO. 5, PAGES 343 TO 347, PAGE 345, RIGHT COLUMN, LINES 10 TO 18	
/ZV/		ABDULLAH M.A.B., "KHURDHID A. ET AL., "COENZYME Q10 AMELIORATES THE HEPATIC TOXICITY INDUCED BY CARBON TETRACHLORIDE IN MICE", RESEARCH COMMUNICATIONS IN PHARMACOLOGY AND TOXICOLOGY, 1999, VOL. 4, NO. 3, 4, PAGES 163 TO 170, TABLE 1, FIGS. 1, 2	
/ZV/		HIROSHI MARYUYAMA, KIYONORI KIKKAWA, MASAHIKO ONDA, "ENDOTOXIN SHOCK-ji NO KANSABO SHOGAI NI TAISURU COENZYME Q10 NO YUYOSEI NI TSUITE TOKUNI ENDOTOXIN KASSEKA TAKAKU HAKKEKKYU O CHUSHIN NI", NIHON IKA DAIGAKU ZASSHI, 1995 NEN, VOL. 62, NO. 3, PAGES 271 TO 282, FIGS. 2, 3	ISR and Abstract

Examiner Signature	/Zohreh Vakili/ (09/18/2008)	Date Considered	/Zohreh Vakili/ (09/18/2008)
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